

Keith W. Heard (KH-8578)
Burke & Parsons
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HAWKNET LTD.,

Plaintiff,

-against-

**OVERSEAS SHIPPING AGENCIES;
OVERSEAS WORLDWIDE HOLDING
GROUP; HOMAY GENERAL TRADING
CO. LLC; MAJDPOUR BROS CUSTOMS
CLEARANCE, MAJDPOUR BROS
INTERNATIONAL SEA & LAND
TRANSPORT S.A.; GULF OVERSEAS LLC;
GULF OVERSEAS GENERAL TRADING
LLC and MOS OVERSEAS SHIPPING
VERMITTLUNG GMBH,**

Defendants.

**NOTICE OF CROSS
MOTION TO FILE
SECOND AMENDED
VERIFIED COMPLAINT**

07 CV 5912 (NRB)

Electronically Filed

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 15(a), and upon the accompanying Memorandum of Law and upon the supporting declarations of Keith H. Heard; William R. Cook; and Matthias Bimschas, including the exhibits annexed thereto, Hawknet Ltd. hereby moves this Court, before the Honorable Judge Naomi R. Buchwald, United States District Judge, in Courtroom 21 A of the United States Courthouse, 500 Pearl Street, New York, New York, on the 10th day of April, 2008, at 4:45 P.M. to file a Second Amended Verified Complaint in the form annexed as Exhibit K to the Heard

declaration. Hawknet further moves that, if the Court grants the motion by TOM Shipping Vermittlung GmbH to vacate the attachment, the Court should stay release of the attached funds pending a decision on Hawknet's Cross-Motion to Amend; and further moves that, if said Cross-Motion to Amend be granted, that the stay be extended until such time as the Second Amended Complaint may be filed, and an amended Order and Writ of Attachment may be issued and served on garnishee Bank of New York Mellon and for such other and further or different relief as this Honorable Court may deem just and proper.

Dated: New York, NY
April 9, 2008

BURKE & PARSONS
Attorneys for Plaintiff
HAWKNET LTD.

By s/Keith W. Heard

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